



STATE OF NEW YORK  
OFFICE OF THE ATTORNEY GENERAL

LETITIA JAMES  
ATTORNEY GENERAL

BARBARA D. UNDERWOOD  
SOLICITOR GENERAL  
DIVISION OF APPEALS & OPINIONS

June 26, 2024

**By ECF**

Honorable Naomi Reice Buchwald  
United States District Court  
Southern District of New York  
500 Pearl St.  
New York, NY 10007

Re: *Meissner v. City of New York*, No. 23-cv-01907 (NRB)

Dear Judge Buchwald:

I write on behalf of Intervenor New York State Attorney General Letitia James. On May 16, 2024, the Court granted the Attorney General leave to file an answer to the amended complaint on June 30, 2024, and motion for judgment on the pleadings on August 12, 2024. *See* Order, ECF No. 41. Upon further review, the Attorney General has concluded that it would be more procedurally efficient to move to dismiss plaintiffs' constitutional challenges to State law. Accordingly, the Attorney General now seeks leave to file a pre-answer motion to dismiss pursuant to Rule 12(b)(1) and (6) of the Federal Rules of Civil Procedure, rather than filing an answer and motion for judgment on the pleadings. The Attorney General respectfully proposes filing her motion to dismiss on the same schedule previously ordered by the Court for her motion for judgment on the pleadings, with the Attorney General's motion and brief due August 12, 2024. *See* Order, ECF No. 41.

Respectfully submitted,

/s/ Sarah Coco

Sarah Coco  
Assistant Solicitor General  
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cc (via ECF): All counsel of record